

1 Jeffrey A. Cogan, Esq.
2 Nevada Bar No. 4569
3 JEFFREY A. COGAN, ESQ., LTD.
4 6900 Westcliff Drive, Suite 511
5 Las Vegas, Nevada 89145
6 Telephone: (702) 474-4220
7 Attorney for Plaintiff MATTHEW M. WHETTON

5
6
7 UNITED STATES DISTRICT COURT
8 FOR THE DISTRICT OF NEVADA

9
10 MATTHEW M. WHETTON,) Case No.: 2:11-cv-00319-PMP -GWF
11 Plaintiff,)
12 vs.)
13 INDYMAC MORTGAGE SERVICES, a division) PLAINTIFF'S NOTICE OF
14 of ONEWEST BANK, a federal savings bank,) VOLUNTARY DISMISSAL
15 NDEX WEST, L.L.C., a Delaware limited liability) WITH PREJUDICE
16 Company, and DOES 1-10, inclusive,) PURSUANT TO F.R.C.P. 41(a)(1)
17 Defendants.)
18 _____)

19 PLEASE TAKE NOTICE that Plaintiff MATTHEW M. WHETTON ("Plaintiff"),
20 pursuant to Federal Rule of Civil Procedure 41(a)(1), hereby voluntarily dismisses all
21 claims in this action with prejudice as to Defendants INDYMAC MORTGAGE SERVICES, a
22 division of ONEWEST BANK and NDEX WEST, L.L.C.

23 Federal Rule of Civil Procedure 41(a)(1) provides, in relevant part:

24 (a) Voluntary Dismissal.

25 (1) By the Plaintiff.

26 (A) Without a Court Order. Subject to Rules 23(e), 23.1(c), 23.2, and 66
27 and any applicable federal statute, the plaintiff may dismiss an action
28 without a court order by filing:

(i) a notice of dismissal before the opposing party serves either an
answer or a motion for summary judgment

* * *

Defendants have neither answered Plaintiff's Complaint, nor filed a motion for summary
judgment. Accordingly, this matter may be dismissed with prejudice and without an Order of

///

///

28

1 the Court.

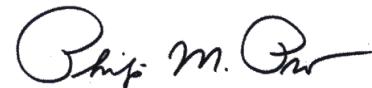
2 DATED this 19th day of July, 2011.

3 JEFFREY A. COGAN, ESQ., LTD.

4 By: /s/ Jeffrey A. Cogan

5 Jeffrey A. Cogan, Esq.
6 Nevada Bar No. 4569
7 6900 Westcliff Drive, Suite 511
8 Las Vegas, Nevada 89145
Attorney for Plaintiff

9 IT IS SO ORDERED.

10 
11

12 PHILIP M. PRO
13 UNITED STATES DISTRICT JUDGE

14 Dated: July 19, 2011.

15
16
17
18
19
20
21
22
23
24
25
26
27
28